

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DAHKEEM MILLER *et al.*,

Plaintiffs,

ORDER

-against-

21-CV-2616 (PKC) (JW)

CITY OF NY *et al.*,

Defendant.

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JENNIFER E. WILLIS, United States Magistrate Judge:

On February 20th the Plaintiffs submitted a letter “to request a briefing schedule with respect to the disputed eligibility Challenges that must be submitted to the Court for binding determinations.” Dkt. No. 134.

Plaintiffs argue that “briefing should begin as soon as possible. While we acknowledge that, in theory, the City might continue to assert Challenges until as late as May 2, 2024, it is highly unlikely that future Challenges will raise any new substantive issues.” Dkt. No. 134. Defendants did not file their own letter but the City asked Plaintiffs to inform the Court that “the City’s position on a briefing schedule is that any briefing on the challenges should occur after the claims and challenge process is complete,” which “would not occur until, at the earliest, on May 2, 2024, which is 60 days after the late claim period.” Dkt. No. 134. The City contends that “earlier briefing would result in piecemeal litigation...” and that “the existence of some overlapping issues does not justify earlier briefing, which would remain inefficient, and would result in the Court

having incomplete information about the number, nature, and value of the challenges in dispute.” Id.

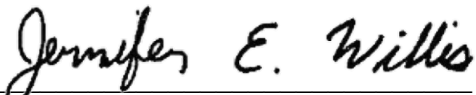
Since any delay in resolving the common legal issues will also delay the final approval of the settlement, the Court agrees that a briefing schedule should be set as soon as possible.

The Court hereby adopts the following schedule:

- Simultaneous Opening Submissions shall be filed by **March 15, 2024.**
- Simultaneous Oppositions shall be filed by **March 29, 2024.**
- Simultaneous Replies are due **April 12, 2024.**

SO ORDERED.

DATED: New York, New York
February 23, 2024



JENNIFER E. WILLIS
United States Magistrate Judge